

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FRED E. STEPHENS, JR.,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

NO. CV-12-160-TOR

**JUDGMENT IN A  
CIVIL CASE**

**DECISION BY THE COURT:**

This action came to hearing before the court. The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that:

Plaintiff's Motion for Summary Judgment is **GRANTED**. The matter is **REVERSED** and **REMANDED** to the Commissioner for calculation of benefits consistent with this Order pursuant to the fourth sentence of 42 U.S.C. § 405(g). Plaintiff may file an application for attorney's fees and costs by separate motion.

Defendant's Motion for Summary Judgment is **DENIED**. Judgment is entered for Plaintiff.

DATED this 145th day of December, 2012.

JAMES R. LARSEN  
District Court Executive/Clerk

By: s/Linda Emerson  
Deputy Clerk

cc: all counsel